

Attorney Docket No. 03742/LH

Express Mail Mailing Label  
No.: EL 978 887 486 US

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

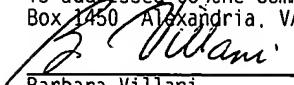
Applicant(s): H. KATO et al

Date of Deposit: December 11, 2003

Serial No. : Not yet assigned

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Filed : Herewith

  
Barbara Villani

For : A PERFORMANCE  
EVALUATION APPARATUS  
AND A PERFORMANCE  
EVALUATION PROGRAM

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

Art Unit :  
Examiner :

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450,  
Alexandria, VA 22313-1450

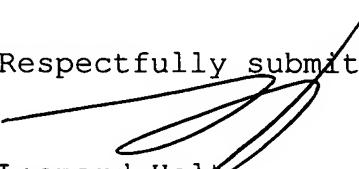
S I R :

It is respectfully requested that the documents listed on the attached form PTO/SB/08A be considered and made of record. Copies of the Japanese documents (one with an English Abstract) are submitted herewith.

Attached hereto is a Discussion of Relevance of the three references identified on said form PTO/SB/08A.

The U.S. Patent Document identified on said form PTO/SB/08A is not enclosed herewith since the USPTO waived the requirement to file copies of U.S. Patents and U.S. Patent Application Publications for U.S. Patent Applications filed after June 30, 2003. (See 1276 OG 55 (05 August 2003)).

Respectfully submitted,

  
Leonard Holtz  
Reg. No. 22,974

Frishauf, Holtz, Goodman & Chick, P.C.  
767 Third Avenue - 25th Floor  
New York, New York 10017-2023  
Tel. No. (212) 319-4900  
Fax No. (212) 319-5101  
LH:bv

IDS

(1) Japanese laid-open patent No. Hei10-161673

An arrangement is disclosed, which receives an audio signal of singing to the accompaniment of karaoke music, and analyses the  
5 audio signal to extract frequency components and sound volume, scoring the singer in real time. The extracted frequency data, sound volume data, etc are compared with guide melody data of the karaoke music to determine whether or not these data coincide with each other for scoring purpose.

10

(2) Japanese laid-open utility model No. Hei04-48553

An arrangement is disclosed, which has reference-performance data stored thereon and compares actual-performance data of live performance with the reference-performance data. More  
15 specifically, it is judged whether or not these data coincide with each other in pitch, note, or time at which a note is played. To compare the pitches, it is judged whether a correct key of a keyboard or an appropriate operating member is manipulated or not. With respect to the timing of manipulation, it is judged  
20 whether or not the key has been played at the time designated in the reference-performance data.

(3) USP6,342,663

When either of plural parts contained in music data is guided  
25 and the other parts are automatically performed, only the guided part is read out before the other parts for displaying guide indications prior to the performance.--

Please type a plus sign (+) inside this box →

PTO/SB/08A (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

|  |              |    |              |                        |          |
|--|--------------|----|--------------|------------------------|----------|
| <b>Substitute for Form 1449A/PTO</b><br><br><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> |              |    |              | Application Number     |          |
|  |              |    |              | Filing Date            | Herewith |
|  |              |    |              | First Named Inventor   | KATO     |
|  |              |    |              | Group Art Unit         |          |
|  |              |    |              | Examiner Name          |          |
| Sheet  | <sup>1</sup> | of | <sup>1</sup> | Attorney Docket Number | 03742/LH |

#### U.S. PATENT DOCUMENTS

| Exam. Inits* | Cite No <sup>1</sup> | Document Number | Kind Code <sup>2</sup> | Name of Patentee or Applicant | Publication Date MM-DD-YYYY | Relevant Portion |
|--------------|----------------------|-----------------|------------------------|-------------------------------|-----------------------------|------------------|
|              |                      | 6,342,663       | B1                     | Kato                          | 01-29-2002                  |                  |

#### FOREIGN PATENT DOCUMENTS

| Exam. Inits* | Cite No <sup>1</sup> | Offc <sup>3</sup> | Document Number <sup>4</sup> | Kind Code <sup>5</sup> | Name of Patentee or Applicant | Publication Date MM-DD-YYYY | Relevant Portion | T <sup>6</sup> |
|--------------|----------------------|-------------------|------------------------------|------------------------|-------------------------------|-----------------------------|------------------|----------------|
|              |                      | JP                | 4-48553                      | U                      |                               | 04-24-1992                  |                  |                |
|              |                      | JP                | 10-161673                    | A                      | Tsurumi et al                 | 06-19-1998                  |                  | x*             |

|                    |                 |  |
|--------------------|-----------------|--|
| Examiner Signature | Date Considered |  |
|--------------------|-----------------|--|

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Place a check here if English translation is attached.

DATE MAILED: December 11, 2003